

IN THE MATTER OF THE POSTHUMOUS  
PARDON APPLICATION FOR LEO FRANK

Videotaped testimony of ALONZO MANN,  
taken on behalf of the applicants requesting  
the pardon for Leo Frank, reported by  
Linda M. Lewis, Certified Court Reporter  
and Notary Public, at the Riviera Hyatt  
Hotel, Brookwood Suite, Atlanta, Georgia,  
on the 10th day of November, 1982,  
commencing at the hour of 2:10 p.m.

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MEMBERS  
OF



1 APPEARANCES:  
2 On behalf of  
3 Alonzo Mann: JOHN JAY HOOKER, Esq.  
4 On behalf of the  
5 State Board of  
6 Pardons and Paroles: MICHAEL WING  
7 L. SILAS MOORE  
8 On behalf of the  
9 Anti-Defamation League  
10 and B'nai B'rith: CHARLES F. WITTENSTEIN, Esq.  
11 On behalf of  
12 B'nai B'rith: DALE M. SCHWARTZ, Esq.  
13 On behalf of the  
14 Nashville Tennessean: JERRY THOMPSON  
15 ROBERT SHERBORNE  
16 On behalf of the  
17 Atlanta Jewish  
18 Federation: M. C. GETTINGER  
19 MARVIN SPCHEISER  
20 On behalf of the  
21 American Jewish  
22 Committee: APRIL LEVINE  
23 - - -  
24 MR. HOOKER: My name is John Jay Hooker.  
25 I am counsel for Mr. Alonzo Mann, M-a-n-n, in the

1 matter of the application for pardon posthumously of  
2 Mr. Leo Frank. Mr. Alonzo Mann is here and is going  
3 to give his testimony relative to this matter.

4 We have invited Mr. Silas Moore of the  
5 State Pardons and Parole Board of Georgia and Mr.  
6 Michael Wing, a member of the board, to be present  
7 today to listen to testimony of Mr. Mann. They have  
8 been kind enough to come and are present here today,  
9 and we have asked them to ask any questions that they  
10 have at the proper time of Mr. Mann.

11 We also have with us here today in  
12 addition to Mr. Wing and to Mr. Moore we have Mr. M.  
13 C. Gettinger of the Atlanta Jewish Federation. Mr.  
14 Gettinger and the Atlanta Jewish Federation is one of  
15 the applicants for the pardon, posthumous pardon, of  
16 Leo Frank. We also have with us Mr. Marvin Sphceiser,  
17 S-p-h-c-e-i-s-e-r, of the Atlanta Jewish Federation.

18 In addition we have Miss April Levine,  
19 L-e-v-i-n-e, of the American Jewish Committee.  
20 Likewise, we have Mr. Charles F. Wittenstein who is  
21 the attorney for the Anti-defamation League and B'nai  
22 B'rith. We have Mr. Dale Schwartz, S-c-h-w-a-r-t-z,  
23 also of B'nai B'rith who are here with us today.

24 I believe that includes everybody, except  
25 Jerry Thompson, a reporter for the Nashville

1 Tennessean, who originally -- whose piece appeared in  
2 the Nashville Tennessean regarding Mr. Mann, and Mr.  
3 Bob Sherborne, S-h-e-r-b-o-u-r-n-e, also of the  
4 Nashville Tennessean who participated with Mr.  
5 Thompson in the section that appeared in the  
6 Nashville Tennessean some time ago.

7 So that is the statement of who's here  
8 and why we are here, and we have arranged for a court  
9 reporter and a video taping of this so as to preserve  
10 for all time the testimony of Mr. Alonzo Mann, who is  
11 84 years old, to be sure that we make a part of the  
12 permanent record of the Leo Frank matter this  
13 testimony. Mr. Mann is here, and the camera will go  
14 on him; and we will proceed to ask you some questions.

15 Mr. Mann, I am going to ask you the  
16 original questions, and then all the people who are  
17 here and who are applicants for this relief as well  
18 as the newsmen who are here and certainly the members  
19 of -- Mr. Moore of the Pardons -- who works for the  
20 Pardons and Paroles Board and Mr. Wing, who is a  
21 member of the board, will also ask you questions.  
22 Then, in addition, anything you want to say that is  
23 not asked to you you will be given an opportunity.

24 THE WITNESS: I will answer the questions  
25 as truthfully as I know how.

1 I was brought to Atlanta as a child.

2 Q. And you lived here in Atlanta until when?

3 A. Until I -- until I got married in 1920  
4 after I was just discharged from the Army.

5 Q. And they you -- and when did you leave  
6 Atlanta?

7 A. I continued to live here, and we moved to  
8 Florida for a couple years; and I moved back. Then  
9 we stayed in Atlanta afterwards.

10 Q. From approximately what years to what  
11 years, if you recollect?

12 A. Well, I would say from 1920 up until  
13 three years ago.

14 Q. Until three years ago. And are you  
15 married?

16 A. Yes, I am married -- yes, indeed.

17 Q. You have been married?

18 A. I was married 62 years.

19 Q. And your wife is living or dead?

20 A. My wife is dead.

21 Q. And were you at one time in the employ of  
22 the National Pencil Company?

23 A. Yes, I was, as a boy, as an office boy.

24 Q. Do you recollect what years that was?

25 A. 1913.

1 MR. HOOKER: So that's the introduction.

2 And now if you would turn the camera on the witness  
3 and we will get on with it.

4 ALONZO MANN,

5 having been duly sworn, was examined and testified  
6 as follows:

7 EXAMINATION

8 BY MR. HOOKER:

9 Q. Sir, what is your full name, please?

10 A. Alonzo McClendon Mann.

11 Q. I want to ask you a few questions about  
12 yourself. If you will pardon my asking, what is your  
13 exact age?

14 A. My exact age is -- I was born in 1898. I  
15 am 84.

16 Q. Very good. And where do you reside?

17 A. I reside in Bristol, Virginia.

18 Q. How long have you lived there?

19 A. Three years this November.

20 Q. And did you previously live in Atlanta,  
21 Georgia?

22 A. Nearly all my life, most all of my life.

23 Q. Approximately, as best you can recollect,  
24 approximately what years were they?

25 A. Well, we lived in Memphis, Tennessee; and

1 Q. 1913. Mr. Mann, are you familiar with a  
2 man by the name of the Jerry Thompson?

3 A. Yes, he is a reporter for the Tennessean.

4 Q. That's the Nashville Tennessean newspaper  
5 in Nashville, Tennessee?

6 A. Yes, sir.

7 Q. And are you likewise familiar with a man  
8 named Mr. Bob Sherborne?

9 A. Yes. He is with the Nashville newspaper,  
10 the Tennessean.

11 Q. Did you have occasion to have  
12 conversations with Mr. Thompson and Mr. Sherborne  
13 relative to the trial of a man named Leo Frank?

14 A. Yes, I did.

15 Q. And as a consequence of that, did the  
16 Nashville Tennessean newspaper write an extensive  
17 series of newspaper stories?

18 A. Yes, they did.

19 Q. Based on what you told them?

20 A. Yes. They told exactly what I told them.

21 Q. Have you yourself read the stories that  
22 appeared in the Nashville Tennessean?

23 A. Yes, I have read it all.

24 Q. And so if I hand you a copy of the  
25 Nashville Tennessean you would recognize that and you

1 would be able to glance at that and determine if that  
2 was the stories that were based on your accounts?

3 A. Yes.

4 Q. So I am going to hand you this newspaper  
5 and want to make this Exhibit 1 to your testimony,  
6 and I just want you to -- I will help you here flip  
7 through it just to -- this is the same paper we have  
8 been looking at together a few minutes ago, but I  
9 want you to verify that this is the newspaper, the  
10 Nashville Tennessean, these are pictures of you and  
11 various stories about you --

12 A. Yes.

13 Q. -- that appeared in that publication.

14 Good. Now, can you --

15 A. Everything is true.

16 Q. You can verify that first as being a copy  
17 of the Nashville Tennessean which you have previously  
18 seen?

19 A. Yes.

20 Q. And you can verify this as having been a  
21 news account that appeared and was sold to the public?

22 A. Yes.

23 Q. Now, Mr. Mann -- tell us, Mr. Mann,  
24 please tell us how this came to be. How did you  
25 happen to have these conversations with the Nashville

1 Tennesseean?

2 A. A few years ago I bought a Golden book  
3 about the trial, the only book I had ever bought or  
4 tried to read.

5 Q. About the trial of --

6 A. Leo M. Frank.

7 Q. Of Leo M. Frank.

8 A. I read about 30 pages, and I saw there  
9 were so many mistakes in there and so many things  
10 that wasn't true, I began to make notes; and I made  
11 notes through those 30 or 40 pages.

12 Q. And, for the record, let's as best you  
13 can, the name of that book was?

14 A. A Little Girl Is Dead.

15 Q. A Little Girl Is Dead, and it was written  
16 by a man -- I think you said Harry Golden.

17 A. Harry Golden.

18 Q. And you read that book or part of it.

19 A. I read 40 sheets of it.

20 Q. 40 sheets of it. And I believe you made  
21 notes in it.

22 A. I made notes in it.

23 Q. And I believe there appears --

24 A. Some of the notes are in the paper.

25 Q. In the news section on page 8 there

1 appears an excerpt of both of Mr. Golden's words and  
2 your words concerning your agreement or disagreement  
3 with the content of that material.

4 A. Yes. At that time I didn't know Jerry  
5 Thompson, I didn't know the Tennessean, and I didn't  
6 know anyone with the Tennessean.

7 Q. Just in your own words now at your own  
8 pace -- we are here to preserve this testimony. You  
9 are 84 years old.

10 A. Yes.

11 Q. And you care enough about this matter to  
12 have told people who in turn told the Tennessean.

13 A. Yes.

14 Q. And you have given apparently an  
15 extensive amount of time to talk to these Tennessean  
16 reporters and so forth.

17 A. Yes, I did.

18 Q. And you are here today to testify in this  
19 matter. In your own words, go a little further about  
20 the Nashville Tennessean situation. How did you  
21 happen to be in touch with them? After you read the  
22 book what happened next?

23 A. I made these notes in the Golden book.

24 Q. Right.

25 A. And my nephew came to see me, and I was

1 talking with him; and he picked up the book and  
2 looked at it, and he asked me about it.

3 Q. Who is your nephew, for the record?

4 A. My nephew is Bob Mann.

5 Q. Spelled the same way you spell your name,  
6 Bob Mann.

7 A. Robert Mann.

8 Q. Robert Mann. All right.

9 A. He's my brother's son.

10 Q. Your brother's son. How old is your  
11 nephew?

12 A. I am sure Robert is 58 or 59.

13 Q. And he -- what does he do?

14 A. Right at the present time he is a  
15 bodyguard with someone.

16 Q. With Mr. Jerry Thompson of the --

17 A. Mr. Jerry Thompson.

18 Q. The same man who is the news reporter for  
19 the Nashville Tennessean?

20 A. Yes.

21 Q. How did he happen to become a bodyguard  
22 for Jerry Thompson; do you know?

23 A. Mr. Jerry Thompson knew Robert Mann for  
24 some time, and Robert Mann was a security guard  
25 somewhere. I don't know. I never asked him. And

1 that's how --

11

2 Q. Well, let me ask you: Do you know if it  
3 was in conjunction with the fact that Mr. Jerry  
4 Thompson as a reporter for the Nashville Tennessean  
5 has investigated the Ku Klux Klan and had written  
6 articles on behalf -- in the Tennessean about that  
7 subject?

8 A. I never talked about that, but I always  
9 knew that was the reason. I thought that was the  
10 reason.

11 Q. I understand. So Mr. -- your nephew,  
12 Mr. Mann, he suggested that you have a conversation  
13 with Jerry Thompson.

14 A. After he read the book, a part of the  
15 book, and the notes that I made, he says, "Well, I  
16 know someone that might be glad to pick that up and  
17 finish it and talk with you about it."

18 Q. And so then Mr. Thompson came to see you?

19 A. He came to see me, and Mr. Robert  
20 Sherborne came with him.

21 Q. The first time they came together?

22 A. Yes.

23 Q. Where did they come to?

24 A. They came to my mobile home that I had  
25 just bought, which I lived in a nice mobile home park.

1 Q. Where?

2 A. In Bristol, Virginia.

3 Q. And do you recollect approximately when  
4 that was, about a year ago or --

5 A. Eight months ago.

6 Q. And they came --

7 A. Maybe nine months ago.

8 Q. And they came to see you in Bristol,  
9 Virginia --

10 A. Yes, they did.

11 Q. -- to ask you about your recollections  
12 regarding Mr. Leo Frank.

13 A. Yes.

14 Q. And you told them at that time that you  
15 had worked for the National Pencil Company and with  
16 Mr. Frank.

17 A. Yes, we went into all of that.

18 Q. What was your relationship to Mr. Leo  
19 Frank? First of all, you were no kin -- you are no  
20 kin to Mr. Leo Frank, are you?

21 A. No.

22 Q. And the only relationship you had with  
23 him was -- as a boy you were I believe at that  
24 time -- how old were you, approximately 14 years old?

25 A. I think I was exactly 14.

1 Q. In 1913?

2 A. 1913.

3 Q. And you were an office boy. What did you  
4 do for the National Pencil Company?

5 A. I was a little more than an office boy.  
6 I filed all the reports, I ran all the errands, I did  
7 all the mailing, I answered the telephone, any errand  
8 that was to be through the factory, I went through  
9 the factory. If they had messages to be delivered to  
10 the managers, different departments or the assistant  
11 manager of the building, of the company my job was to  
12 do all of those things.

13 Q. Where did you physically locate yourself  
14 in the business?

15 A. In the office with Mr. Frank, near his  
16 desk. I had a desk, a little small desk, over in the  
17 corner with my chair. If the phone rang and he  
18 wasn't there, I would answer it.

19 Q. So you were sort of a jack-of-all-trades?

20 A. That's right.

21 Q. You answered the telephone; you delivered  
22 messages; you were a 14-year-old boy. Who -- was  
23 Mr. -- did you regard Mr. Leo Frank as your boss?  
24 Was he the man you reported to?

25 A. I regarded him as a boss and a wonderful

1 person.

2 Q. So you had a great respect for Leo Frank.

3 A. Yes, and he did me, too.

4 Q. Were you then -- at the time Mr. Frank  
5 was indicted for murder in Atlanta, Georgia, were you  
6 called as a witness in that case?

7 A. Yes, I was.

8 Q. And that case took place in 1913.

9 A. Yes, it was in 1913.

10 Q. And at that time, 1913, you appeared as a  
11 witness in the case of the State of Georgia versus -  
12 Leo Frank.

13 A. On defense.

14 Q. And you were -- you were a witness for  
15 the defense.

16 A. Yes.

17 Q. Had you had some conversations prior to  
18 the time of the trial? Had you had some  
19 conversations with the prosecutors after the matter  
20 occurred -- I believe there was ■ young girl who was  
21 killed.

22 A. Mary Phagan.

23 MR. HOOKER: The court reporter, do you  
24 know her name? Do you want it spelled for you? Mary,  
25 P-h-a-g-a-n. Mary Phagan was her name.

1 Q. (BY MR. HOOKER) Was she an employee of  
2 the National Pencil Company?

3 A. She was an employee, and she worked on  
4 the metal machine where they put the tips on the end  
5 of the pencils.

6 Q. Did you know her personally?

7 A. No, I did not.

8 Q. Other than -- did you know to see her?  
9 Did you --

10 A. The only way I knew to see her, I heard  
11 her name called.

12 Q. But you don't recollect having ever seen  
13 her as an employee other than to have heard her name  
14 called.

15 A. That's all, and at the machine.

16 Q. And at the machine.

17 A. Because one day I went to the back to  
18 deliver a message to Mr. Darling, and she was being --  
19 someone was riding around, one of the girls was  
20 riding around in a little red wagon; and the wagon is  
21 what they bring their pencils, end of the pencil caps  
22 on. And they were laughing, and they called her name.

23 Q. And you got a glimpse of her on that  
24 occasion?

25 A. Oh, yes.

1 Q. But you never had a relationship with her,  
2 never really met her or --

3 A. Never knew her, never talked with her in  
4 my life.

5 Q. And she was killed in 1913 allegedly  
6 there in the National Pencil Company building.

7 A. Yes.

8 Q. And for which your Mr. Leo Frank for whom  
9 you worked -- he was your boss. What was his title  
10 with the National Pencil Company?

11 A. He was general manager.

12 Q. How old a man was he; do you recollect?

13 A. I think he was around 29 or 25, 26 maybe.

14 Q. I think the record shows he was 29 years  
15 old. If that's what the newspaper said, would you  
16 agree that's what his age was?

17 A. Yes, I would agree because I never knew  
18 his exact age.

19 Q. All right. Is this a picture of Mr. Leo  
20 Frank as you recollect?

21 A. Yes, that's a good picture of him.

22 Q. So you worked closely with him in his  
23 office there, and you knew him as a boy would know a  
24 grown man; and you reported to him, you did what he  
25 told you to do.

1 A. I certainly did.

2 Q. And he was indicted for the murder of  
3 Mary Phagan.

4 A. Yes.

5 Q. And I believe that you have given to the  
6 Nashville Tennessean, and they have procured --  
7 here's a picture of you which is on page 8; and that  
8 is a picture of you, isn't it, on page 8 here?

9 A. Yes.

10 Q. And there's an article entitled "His  
11 Secret Well Kept"; and that article which is in the  
12 middle of the page purports to tell about you and  
13 your testimony which apparently took place, you  
14 testified, on August 12th, 1913, some two weeks after  
15 the start of the trial. And the Atlanta Constitution  
16 reported -- the newspaper reported the next day a  
17 headline reading, "Office Boy Swears He Never Saw  
18 Woman in Office With Frank."

19 A. That's correct. I never saw anything  
20 wrong in the factory, never.

21 Q. Now, did you -- how did you happen to be  
22 a witness? You were called by the defense.

23 A. They called me as a witness.

24 Q. Now, Mr. Mann, at that time you were 14  
25 years old.

1 A. Yes.

18

2 Q. And you worked for the National Pencil  
3 Company, and you were there in the office on a  
4 day-to-day basis with Mr. Frank.

5 A. Yes, we were there half a day.

6 Q. And you didn't know this girl except by  
7 sight and name to be a young woman who worked in the  
8 pencil part or the manufacturing part of the plant.

9 A. That is correct.

10 Q. And she had been killed on the location  
11 there, physical location, apparently of the National  
12 Pencil Company itself; and Mr. Frank had been  
13 indicted for doing that.

14 A. Yes.

15 Q. Now, were you contacted by the police as  
16 being an employee and around -- were you contacted by  
17 the police and questioned about what you knew in the  
18 matter?

19 A. I was contacted by the police and many  
20 reporters; and they asked me different questions,  
21 where I went and what I did. But no one asked me any  
22 direct questions about anything important, except  
23 what I did.

24 Q. So -- but you were contacted by the  
25 police?

1 A. Oh, yes.

jq

2 Q. Now, you say -- but you were not a  
3 witness for the prosecution --

4 A. No.

5 Q. -- as you recollect at the trial?

6 A. I was a witness for the defense.

7 Q. And were you accordingly contacted by the  
8 defense lawyers, and did they make inquiry of you or  
9 have conversations with you prior to the time you  
10 went on the witness stand?

11 A. Rubin Arnold --

12 Q. Who is Rubin Arnold?

13 A. He was a lawyer for the defense.

14 Q. Right. Let me show you here. Let's see.

15 A. And Rosser was an attorney for the  
16 defense.

17 Q. Is this the picture of Mr. Rosser, Luther  
18 S. Rosser, R-o-s-s-e-r, that appears on page 5 of the  
19 Tennessean. There's a page that is headed, "Profiles  
20 of Principal Characters," and Luther Z. Rosser is  
21 there pictured and has a short biographical sketch  
22 about him. You have read that biographical sketch  
23 and seen that picture.

24 A. Oh, yes, I read that. But, of course, in  
25 this picture I probably would not recognize him if he

1 was in his civilian clothes. I mean I may not  
2 recognize him here, but I would recognize him if he  
3 stood in front of me.

4 Q. Now, Mr. Rosser, he was one of the  
5 lawyers for Mr. Frank.

6 A. Yes.

7 Q. Now, did you have a conversation with him  
8 or Mr. Arnold, who I believe was his partner or at  
9 least was his associate in the defense of Mr. Frank.

10 A. I had a slight conversation with him that  
11 they asked me a few questions. It wasn't very  
12 important.

13 Q. Before the trial, before you appeared as  
14 a witness.

15 A. Before I appeared as a witness on the  
16 stand.

17 Q. Did they ever ask you if you had any  
18 eyewitness information; in other words, did they ever  
19 ask you any question relating to whether or not you  
20 had seen anything in conjunction with this murder?

21 A. They did not.

22 Q. Did the police ever ask you any question  
23 as to whether or not you had seen anything in  
24 conjunction with the killing of this girl?

25 A. They did not.

Q. So neither the -- your testimony is, then,  
that neither the police or detective or investigator,  
nobody -- or prosecuting attorney, nobody on behalf  
of the Government, that is the prosecuting office and  
the people who report thereto, or anybody on behalf  
of the defendant?

A. No one asked me anything in regards to  
that.

Q. Now, suppose they had asked you in regard  
to that?

A. If they asked me in regards to that, I  
would have promptly told them at that time.

Q. Did you have any conversations with your  
mother or with any members of your family or anybody  
in addition to those people about your -- what you  
knew and about your perspective testimony in the  
matter.

A. Now we are going back to what happened;  
is that it?

Q. Correct.

A. And when I went home.

Q. Correct.

A. Well, I went home and told my mother; and  
she said, "Now we will wait and see, but don't say  
anything. Keep out of it."

1 Q. All right. What I want to announce for  
2 the sake of chronology and try to keep the record  
3 straight, I would like to read into the record that  
4 testimony on page 8 that appears in the Nashville  
5 Tennessean which purports to be an exact copy of  
6 information that appeared in the Atlanta Constitution.  
7 I want to read that to you and ask you if you have  
8 any recollection about that and then ask you further  
9 questions. So if you will indulge me for a moment,  
10 let me just read this testimony that purports to be  
11 your testimony and ask you if that actually took  
12 place.

13 A. Yes.

14 Q. It says on page 8, the middle thereof,  
15 "The full text of the story follows:" This is under  
16 the headline, "Office Boy Swears He Never Saw Woman  
17 In Office With Frank."

18 A. Correct.

19 Q. That's in quotation. Then according to  
20 the Nashville Tennessean published on Sunday, March  
21 7th, 1982, this story appeared in the Atlanta  
22 Constitution on August 12th, 1913. And I will read  
23 from the Tennessean purporting to be the story that  
24 appeared in the Atlanta Constitution.

25 "Alonzo Mann, the office boy at the

23

1 National Pencil factory, was called as a witness  
2 after Mrs. Minnie Smith had been excused. The lad  
3 was decidedly uneasy from the time he came in rather  
4 timidly until he had finished his evidence, which he  
5 gave in a voice so low at times that the court  
6 stenographer could hardly hear it.

7            "He told of Frank's being apparently busy  
8 at work on Saturdays and declared that he had never  
9 seen any women or C. B. Dalton around the factory on  
10 such occasions."

11           A.     That is correct.

12           Q.     "Were you sworn?" Mr. Arnold asked.

13           That's the lawyer that represented --

14           A.     Yes.

15           Q.     "I -- I dunno, sir," the lad replied.

16           "Well, I'll swear you then as a matter of  
17 precaution," said the attorney in a kindly voice.

18           The oath was administered.

19           "Do you work at the National Pencil  
20 factory?"

21           "Yes, sir."

22           "When did you start to work there?"

23           "April 1."

24           "How late did you work on Saturdays,  
25 except on Holidays?"

24

1            "I don't remember exactly. I worked  
2 there on the day the girl was killed and on the two  
3 Saturdays before that, and I stayed until 11:30 that  
4 Saturday," the lad said.

5            "Did you ever see Mr. Frank bring women  
6 in there on Saturdays?"

7            "No, sir."

8            "Did you ever see a man named Dalton  
9 there?"

10          "No, sir."

11          "Were you there at work that Saturday  
12 morning of the day before the girl's body was found?"  
13 asked Solicitor Dorsey, who took up the  
14 cross-examination at this point.

15          "Yes."

16          "Did Frank start right to work?"

17          "He went right into his office when he  
18 came."

19          "Did you see him go out?"

20          "He went out once."

21          Now, that purports to be your testimony.

22          A.       That's correct.

23          Q.       Do you -- that took place some 70 years  
24 ago.

25          A.       Oh, yes.

1 Q. Do you remember that as being your  
2 testimony?

25

3 A. Yes. I never will forget what happened.

4 Q. Does this, as best you can recollect, is  
5 this the entire amount of your testimony? Was it  
6 longer than this? Was there additional testimony?  
7 According to your recollection, is this a complete or  
8 nearly complete resume of your testimony?

9 A. At that time that was all I knew. I told  
10 it all.

11 Q. And your testimony is now that as far as  
12 you can remember this was all your testimony on that  
13 occasion?

14 A. That's correct.

15 Q. And you have already testified that you  
16 had not given them -- the lawyers or the detectives  
17 or anybody, you had not given them any information  
18 concerning your knowledge of the crime, other than  
19 this information?

20 A. Now, we are speaking after we saw Jim  
21 Carney with the girl?

22 Q. Yes, sir.

23 A. No. I didn't give any information  
24 because my mother told me not to talk.

25 Q. I want to take you back over that in

1 Q. Do you remember that as being your  
2 testimony?

3 A. Yes. I never will forget what happened.

4 Q. Does this, as best you can recollect, is  
5 this the entire amount of your testimony? Was it  
6 longer than this? Was there additional testimony?  
7 According to your recollection, is this a complete or  
8 nearly complete resume of your testimony?

9 A. At that time that was all I knew. I told  
10 it all.

11 Q. And your testimony is now that as far as  
12 you can remember this was all your testimony on that  
13 occasion?

14 A. That's correct.

15 Q. And you have already testified that you  
16 had not given them -- the lawyers or the detectives  
17 or anybody, you had not given them any information  
18 concerning your knowledge of the crime, other than  
19 this information?

20 A. Now, we are speaking after we saw Jim  
21 Carney with the girl?

22 Q. Yes, sir.

23 A. No. I didn't give any information  
24 because my mother told me not to talk.

25 Q. I want to take you back over that in

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1 sequence, but on a step-by-step basis. But basically  
2 this testimony that you have -- gave in court that  
3 day and was reported in the Atlanta Constitution and  
4 is now re-reported in the Nashville Tennessean, your  
5 now testimony is that -- this that I have just read  
6 reflects your best recollection as to what you  
7 testified on that day in court?

8 A. That is correct.

9 Q. Now, you are further testifying that  
10 beyond that that the matters to which you are now  
11 going to testify were not addressed in the Court on  
12 that day, the matters as relates to what you saw  
13 beyond this testimony.

14 A. Oh, yes, sir. It would be the same  
15 testimony.

16 Q. But maybe I haven't made the question  
17 clear. In other words, the part to which I am now  
18 going to ask you about which you were an eyewitness,  
19 you did not testify to that at the time.

20 A. That is correct.

21 Q. And you were not asked about that by the  
22 lawyers or the detectives or anybody else.

23 A. I was not.

24 Q. Now, Mr. Mann, in your own words you -- I  
25 want you to tell, just at your own pace and your own

1 sequence, but on a step-by-step basis. But basically  
2 this testimony that you have -- gave in court that  
3 day and was reported in the Atlanta Constitution and  
4 is now re-reported in the Nashville Tennessean, your  
5 new testimony is that -- this that I have just read  
6 reflects your best recollection as to what you  
7 testified on that day in court?

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10 beyond that that the matters to which you are now  
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17 clear. In other words, the part to which I am now  
18 going to ask you about which you were an eyewitness,  
19 you did not testify to that at the time.

20 A. That is correct.

21 Q. And you were not asked about that by the  
22 lawyers or the detectives or anybody else.

23 A. I was not.

24 Q. Now, Mr. Mann, in your own words you -- I  
25 want you to tell, just at your own pace and your own

27

1 way, what you now recollect as being what took place  
2 in your eyesight, what you saw on that day in 1913  
3 when this matter occurred. Now, you just tell that  
4 in your own way.

5 A. I reported to the National Biscuit  
6 Company -- Pencil Company at the usual time, around  
7 8:00 o'clock. If you didn't get there at 8:00, you  
8 were really not on time. So I was there.

9 Q. Let me just interrupt you for one second.  
10 You have given an affidavit which appears on page 9  
11 of the Tennessean, which I show you now has -- also  
12 has a picture of you, and then it says the "Statement  
13 of Alonzo Mann," and this is an affidavit. "The  
14 undersigned being duly sworn, deposes as follows:" I  
15 believe you gave this affidavit to Mr. Jerry Thompson.

16 A. I certainly did.

17 Q. Now, beyond that did you take a lie  
18 detector test and other tests to determine that the  
19 newspaper, the Nashville Tennessean, Mr. Jerry  
20 Thompson, and Mr. Bob Sherborne, and Mr. John  
21 Sigenthal -- do you know Mr. John Sigenthal?

22 A. Oh, yes.

23 Q. He is the publisher of the Nashville  
24 Tennessean.

25 A. I know him. I met him.

27

1 way, what you now recollect as being what took place  
2 in your eyesight, what you saw on that day in 1913  
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11 of the Tennessean, which I show you now has -- also  
12 has a picture of you, and then it says the "Statement  
13 of Alonzo Mann," and this is an affidavit. "The  
14 undersigned being duly sworn, deposes as follows:" I  
15 believe you gave this affidavit to Mr. Jerry Thompson.

16 A. I certainly did.

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18 detector test and other tests to determine that the  
19 newspaper, the Nashville Tennessean, Mr. Jerry  
20 Thompson, and Mr. Bob Sherborne, and Mr. John  
21 Sigenthal -- do you know Mr. John Sigenthal?

22 A. Oh, yes.

23 Q. He is the publisher of the Nashville  
24 Tennessean.

25 A. I know him. I met him.

1 Q. At the time that you gave this  
2 information to Jerry Thompson, did they try to verify  
3 it? Did they ask you if you would take a lie  
4 detector test and so forth?

5 A. They gave me a lie detector test and also  
6 a mental test, now whatever you might call it.

7 Q. Stress test.

8 A. And I went through everything they asked  
9 me to do.

10 Q. And then after you -- then you then gave  
11 them an affidavit or maybe you gave the affidavit  
12 before that.

13 A. I gave the affidavit I think after that  
14 was done, I believe I did.

15 Q. Well, whether it was before or after, you  
16 gave them the affidavit containing the information  
17 that is presently, that is in the affidavit and was  
18 published by them on Sunday, March 7th, 1982.

19 A. Well, I think that was after I took my  
20 test.

21 Q. After you took your lie detector test.  
22 Now, in that affidavit you set out facts about what  
23 you knew and saw in conjunction with this trial of  
24 Leo Frank.

25 A. Yes.

1 Q. At the time that you gave this  
2 information to Jerry Thompson, did they try to verify  
3 it? Did they ask you if you would take a lie  
4 detector test and so forth?

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6 a mental test, now whatever you might call it.

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16 gave them the affidavit containing the information  
17 that is presently, that is in the affidavit and was  
18 published by them on Sunday, March 7th, 1982.

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20 test.

21 Q. After you took your lie detector test.  
22 Now, in that affidavit you set out facts about what  
23 you knew and saw in conjunction with this trial of  
24 Leo Frank.

25 A. Yes.

39  
Q. Now, without regard to that affidavit, I  
want you now just in your own words to state for the  
purpose of this record and give testimony now about  
what you recollect about that. As you know, we have  
made an exhibit to your testimony this whole section  
of the newspaper which contains your affidavit. But  
now I am asking you just as best you can in the  
presence of Mr. Wing here of the Georgia State  
Pardons and Parole Board and Mr. Silas Moore and the  
other people whose names appear as a part of this  
proceeding, I want you to tell us in your own words  
what you recollect about that fateful morning at  
which you saw what you are now going to tell us about.

A. It was Saturday on Memorial Day. I went  
to work at the usual time, which we did work a half a  
day on Saturday in our office, but sometimes the  
factory did not. On that particular day the factory  
was closed. So I went in and did most of my work.  
And I told Mr. Frank that I would have to leave a  
little early because I wanted to meet my mother. She  
was going to buy a hat up there at Peachtree and  
Whitehall at the viaduct. So he said, "Go right  
ahead." I said, "I will probably come back if I  
don't meet her and do my -- finish my filing."

So I went to meet my mother, which

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2 want you now just in your own words to state for the  
3 purpose of this record and give testimony now about  
4 what you recollect about that. As you know, we have  
5 made an exhibit to your testimony this whole section  
6 of the newspaper which contains your affidavit. But  
7 now I am asking you just as best you can in the  
8 presence of Mr. Wing here of the Georgia State  
9 Pardons and Parole Board and Mr. Silas Moore and the  
10 other people whose names appear as a part of this  
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12 what you recollect about that fateful morning at  
13 which you saw what you are now going to tell us about.

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15 to work at the usual time, which we did work a half a  
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17 factory did not. On that particular day the factory  
18 was closed. So I went in and did most of my work.  
19 And I told Mr. Frank that I would have to leave a  
20 little early because I wanted to meet my mother. She  
21 was going to buy a hat up there at Peachtree and  
22 Whitehall at the viaduct. So he said, "Go right  
23 ahead." I said, "I will probably come back if I  
24 don't meet her and do my -- finish my filing."

25 So I went to meet my mother, which

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1 probably took 30 or 40 minutes; and she wasn't there.  
2 Then I came back to the office, and the door was  
3 still unlocked. So I opened the door and walked in.  
4 And I --

5 Q. What time was that; do you recollect?

6 A. I think that was a little after 12:00, a  
7 few minutes after 12:00.

8 Then I looked to the right; and there was  
9 Jim Conley with a girl in his arm, and she was limp.

10 Q. Who was Jim Conley?

11 A. Jim Conley was a sweeper or the porter  
12 you might call him or whatever you want to call him.  
13 They called him the sweeper. But they called on him  
14 to do other things.

15 Q. All right. Tell about Jim Conley. Is he  
16 a white man or a black man?

17 A. No, he was a -- kind of a Melano. He  
18 wasn't entirely black. No, he wasn't real black.

19 Q. But he is a Negro?

20 A. Yes. He looked around at me. He  
21 couldn't reach me because the elevator was here, the  
22 trap door was here, and I was over here probably 8  
23 feet (indicating); and he couldn't reach me, so he  
24 looked at me -- he reached out to pull me. He  
25 reached out, and he couldn't reach me. He says, "If

1 probably took 30 or 40 minutes; and she wasn't there.  
2 Then I came back to the office, and the door was  
3 still unlocked. So I opened the door and walked in.  
4 And I --

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7 few minutes after 12:00.

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9 Jim Conley with a girl in his arm, and she was limp.

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23 feet (indicating); and he couldn't reach me, so he  
24 looked at me -- he reached out to pull me. He  
25 reached out, and he couldn't reach me. He says, "If

1 you tell anything about this, I'll kill you." I took  
2 a couple steps up, and I saw the door was locked or  
3 shut; and I didn't go on up. So I turned around and  
4 went out the door and went home.

5 Jim Conley was drinking that morning when  
6 I went in under the steps. That's the place he  
7 always sits. Under the steps.

8 Q. When you say Jim Conley that morning, you  
9 mean before this?

10 A. That's before that happened.

11 Q. So let's be clear about that. Let the  
12 record show that on my right that Mr. Wing is of the  
13 State Pardons and Paroles Board is sitting right here  
14 next to Mr. Mann. And I want you to look at Mr. Wing.  
15 Now, he is the man we are addressing. I want you to  
16 explain to Mr. Wing who is sitting right here looking  
17 at you. You got to work that morning; and you saw  
18 Mr. Conley, a black man --

19 A. Under the steps.

20 Q. -- under the steps.

21 A. In his chair.

22 Q. And was he drinking?

23 A. Apparently he was to me.

24 Q. Did you have a conversation with him?

25 A. No. I just walked right on. Oh, he

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2 a couple steps up, and I saw the door was locked or  
3 shut; and I didn't go on up. So I turned around and  
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16 explain to Mr. Wing who is sitting right here looking  
17 at you. You got to work that morning; and you saw  
18 Mr. Conley, a black man --

19 A. Under the steps.

20 Q. -- under the steps.

21 A. In his chair.

22 Q. And was he drinking?

23 A. Apparently he was to me.

24 Q. Did you have a conversation with him?

25 A. No. I just walked right on. Oh, he

1 asked me for some money to buy beer. He did. He  
2 asked me for money to buy beer.

3 Q. Had he ever asked you --

4 A. I told him I didn't have any money.

5 Q. Had he ever asked you for money before?

6 A. Oh, yes. I'd loaned him money before,  
7 but he never paid me back.

8 Q. So you had had a business relationship  
9 with him, so to speak, in the sense that you, a  
10 14-year-old boy, you had loaned him some money.

11 A. And he never paid me back. So I told him  
12 I didn't have any money, which I did have some money.

13 Q. You had grown tired of lending money to  
14 him?

15 A. That's exactly right.

16 Q. And did -- and you had some money. Do  
17 you remember how much money you had?

18 A. I think a half a dollar or something like  
19 that.

20 Q. And he wanted to borrow how much?

21 A. He wanted to borrow some money to buy  
22 some beer. He didn't say how much.

23 Q. You knew that -- did he tell you he  
24 wanted to buy beer with it?

25 A. I think he said he wanted a dime.

21  
3d

1 asked me for some money to buy beer. He did. He  
2 asked me for money to buy beer.

21  
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3 Q. Had he ever asked you --

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5 Q. Had he ever asked you for money before?

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7 but he never paid me back.

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9 with him, so to speak, in the sense that you, a  
10 14-year-old boy, you had loaned him some money.

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12 I didn't have any money, which I did have some money.

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14 him?

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17 you remember how much money you had?

18 A. I think a half a dollar or something like  
19 that.

20 Q. And he wanted to borrow how much?

21 A. He wanted to borrow some money to buy  
22 some beer. He didn't say how much.

23 Q. You knew that -- did he tell you he  
24 wanted to buy beer with it?

25 A. I think he said he wanted a dime.

1 Q. What? 33

2 A. I think he said he wanted 10 cents.

3 Q. Wanted 10 cents.

4 A. I am sure of that.

5 Q. And did he say he wanted to buy some beer,  
6 or did you just infer that?

7 A. No, he just said he wanted to borrow 10  
8 cents.

9 Q. But you knew -- you knew something about  
10 him, and you knew him to be a person who did drink.  
11 Had you ever seen him drinking beer?

12 A. Yes, I've seen him drinking beer, and  
13 I've seen him drunk.

14 Q. I see. So when he asked you for the 10  
15 cents that morning, you sort of fought him off and  
16 changed the subject and left him so as to not to get  
17 involved.

18 A. I refused.

19 Q. Now, there appears on page 10 of this  
20 section of the Nashville Tennessean newspaper a  
21 square that has a headline that says, "The 10 cent  
22 Fib." It says, "Lonnie Mann's story has the ring of  
23 truth, and sometimes small elements of his account  
24 elicit this well.

25 "For example, Mann says today that

1 although he had money on him that Saturday morning - 34  
2 April 26, 1913 - when Jim Conley asked to borrow a  
3 dime, he lied and told Conley he was broke.

4                 "Man explained that Conley had borrowed  
5 money from him in the past and had failed to repay.  
6 The office boy did not want to lose any more money to  
7 the factory sweeper.

8                 "An article published in 1914 by W. E.  
9 Thompson of Atlanta entitled A Short Review of the  
10 Frank Case, says Conley 'borrowed money from many of  
11 the white people and would not pay them. He swears  
12 he owed many and when payday came, he sometimes got  
13 another Negro to get his pay envelope and slip it to  
14 him outside to keep from paying his debts.

15                 "When he got it himself, he says he  
16 slipped downstairs and down that scuttle hole and out  
17 at the back basement door."

18                 A.     That's right.

19                 Q.     So that purports to be an article in the  
20 Nashville Tennessean about you lending -- about you  
21 having some money in your pocket and this man wanted  
22 to borrow a dime from you; and you are saying that is  
23 true?

24                 A.     That is correct.

25                 Q.     And you told again today precisely what

1 you told to the newspaper.

35

2 A. That's correct.

3 Q. Now, you say that you saw Mr. Conley --  
4 you saw Mr. Conley, the black man, that morning; and  
5 he was drinking beer, and you thought apparently  
6 drunk, or at least on the way to being drunk, at  
7 least he showed some evidence of having drunk some  
8 beer.

9 A. That's true.

10 Q. And you declined to lend him money. Now,  
11 you saw him again the same day.

12 A. When I came back, he had the girl in his  
13 arms.

14 Q. Now, that -- the girl, do you recollect  
15 that as being the girl that was murdered, Mary Phagan?

16 A. No, I didn't know it was Mary Phagan. I  
17 just know it was a young girl.

18 Q. But now you know that that was --

19 A. Now I know since they found Mary Phagan  
20 dead.

21 Q. And you have -- you have told again, for  
22 the purpose of this testimony you have reiterated in  
23 substance what you have said here in your affidavit  
24 concerning the matter. And let me read that to you  
25 so we can get what you have just said. Which you

36

1 said without any notes and without reading, you have  
2 just given another account of this matter; and you  
3 previously gave the account that appears in the  
4 affidavit, and for the sake of the record let me read  
5 regarding what you said there.

6 You said, "When I had left the company  
7 premises just before noon, Mary Phagan had not come  
8 to collect her pay. When I left the building, down  
9 the stairs and out the first floor door, Jim Conley,  
10 the janitor, was sitting where I had seen him when I  
11 came to work in the darkened area of the stairwell.

12 "I walked to the point where I was  
13 supposed to meet my mother. It was a short distance -  
14 perhaps a block and a half. We had agreed to meet in  
15 front of a store on Whitehall Street. My memory is  
16 that my mother had planned to buy a hat that day. I  
17 stopped and bought a hotdog on the way to meet her.  
18 However, when I arrived, she was not there. She had  
19 told me that if she was unable to come, for me not to  
20 worry. I waited for her for a few minutes. Since I  
21 didn't care much about seeing the parade, I went back  
22 to work.

23 "I can't be sure as to exactly how long I  
24 was gone, but it could not have been more than a half  
25 hour before I got back to the pencil factory.

34

1 "I had no idea that I was about to  
2 witness an important moment in a famous murder case -  
3 a moment that has not been made public until now:  
4 That I was about to become a witness to tragic  
5 history.

6 "I walked into the building by the front  
7 door."

8 A. That's correct.

9 Q. "Inside the door, I walked towards the  
10 stairwell."

11 A. That's correct.

12 Q. "I looked to my right and I was  
13 confronted by a scene I will remember vividly until  
14 the day I die."

15 A. That is certainly correct.

16 Q. "Jim Conley was standing between the  
17 trapdoor that led to the basement and the elevator  
18 shaft."

19 A. That's what -- that's what happened.

20 Q. "I have an impression that the trapdoor  
21 was partially open, but my eyes were fixed on Jim  
22 Conley."

23 A. Yes.

24 Q. "He had the body of Mary Phagan in his  
25 arms."

1 A. Yes. He had a body of a young lady in  
2 his arms.

3 Q. "I didn't know it was Mary Phagan. I  
4 only knew it was a girl.

5 A. Yes.

6 Q. "At that moment I couldn't tell if she  
7 was alive."

8 A. That is correct.

9 Q. "She appeared to be unconscious, or  
10 perhaps dead."

11 A. That is right.

12 Q. "I saw no blood."

13 A. That's correct.

14 Q. "He was holding her with both arms  
15 gripping her around the waist."

16 A. Yes.

17 Q. "I can't remember the color of her  
18 clothes but I have an impression that she had on  
19 pretty, clean clothes."

20 A. Yes, she did.

21 Q. "She was extremely short and her head was  
22 sort of on his shoulder, or over it."

23 A. Yes.

24 Q. "Her hair was streaming down his back."

25 A. Yes.

1 Q. "Her hair was not in braids when I saw 39  
2 her. It was hanging loose. I saw no blood on the  
3 part of her neck that was exposed. I do not know if  
4 she was dead, but she was at least unconscious. She  
5 was limp and did not move."

6 A. That is the way it happened.

7 Q. "Her skirt had come up to about her  
8 knees."

9 A. Yes.

10 Q. "It was as I suddenly barged into the  
11 first floor, prepared to go up the stairs to the  
12 office, that I encountered Conley with the body of  
13 Mary Phagan.

14 A. Yes.

15 Q. "Conley was close to the trapdoor that  
16 led down to the basement by way of a ladder."

17 A. Yes.

18 Q. "I believe that from the direction he was  
19 heading and the attitude of the body that he was  
20 preparing to dump the body down the trapdoor."

21 A. Yes, I believe that.

22 Q. "I have no clear memory of whether the  
23 elevator had stopped on that first floor -- "

24 A. No. The elevator hadn't stopped on that  
25 floor as far as I could see.

1 Q. "-- but if it was not on that floor, the  
2 shaft would have been open."

3 A. That's right.

4 Q. "He could have dumped her down the empty  
5 elevator shaft."

6 A. No, he couldn't have if the elevator  
7 wasn't --

8 Q. I understand, but the affidavit said he  
9 could have dumped her down the elevator shaft.

10 "I believe for some reason Jim Conley  
11 turned around towards me."

12 A. Yes.

13 Q. "He either heard my footsteps coming or  
14 he sensed I was behind him."

15 A. Yes.

16 Q. "He wheeled on me and in a voice that was  
17 low but threatening and frightening to me, he said, 'If  
18 you ever mention this, I will kill you'."

19 A. And he reached out after me, but he  
20 couldn't reach me.

21 Q. "I turned and took a step or two -  
22 possibly three or four steps - up towards the second  
23 floor, but I must have worried about whether the  
24 office upstairs was closed. I did hear some movement  
25 upstairs, but I can't be sure who was on the floors

1 above. I fearful that the office might be closed,  
2 and so I turned back towards Conley. I wanted to get  
3 out of there quick." 41

4 A. That statement is correct.

5 Q. "He got to within about 8 feet of me. He  
6 reached out as if to put one arm or hand on me. I  
7 ran out of the front door and raced away from the  
8 building."

9 A. That is correct.

10 Q. "I went straight home. I rode the  
11 streetcar."

12 A. That did happen.

13 Q. So you are now reiterating for the  
14 purpose of this testimony exactly, precisely what you  
15 told the Tennessean in affidavit form and which  
16 affidavit appears in the Tennessean newspaper?

17 A. All of that is true. That whole story is  
18 true.

19 Q. Now, Mr. Mann, when you got home, can  
20 you -- you are a 14-year-old boy. And you had,  
21 according to your now testimony, on that fateful day  
22 had witnessed what you saw, Jim Conley with Mary  
23 Phagan in his arms. What did you tell your mother  
24 about that?

25 A. I told my mother when I got into the

1 house what had happened; and she, of course, says,  
2 "Don't say anything about it, and we will wait and  
3 see how it comes out." So the next morning they find  
4 Mary Phagan; and the next morning my mother says,  
5 "Don't say anything about it because we don't want to  
6 get involved in it." She talked to my father, and he  
7 told me the same thing. He said, "We won't get  
8 involved in it unless we have to."

9 Q. You remember that clearly today. I mean  
10 at this very minute as you are looking here at a  
11 member of the board, Mr. Wing, you are now telling  
12 that you today recollect that at this very moment  
13 what took place.

14 A. I certainly do. It isn't hard to  
15 remember.

16 Q. And that is after you got home -- were  
17 you scared?

18 A. Well, I was nervous. I guess I was  
19 scared.

20 Q. And you saw your mother, and you told her  
21 that you had seen this black man holding this young  
22 girl -- white girl in his arms and what had happened.

23 A. And she said, "Say nothing." She talked  
24 to my father, and he said the same thing.

25 Q. Now, when she first told you that, she

1 didn't know whether the girl was dead or not dead. 43

2 A. That's correct.

3 Q. Because you didn't know whether the girl  
4 was dead or not dead.

5 A. That is correct.

6 Q. And you didn't tell her on that occasion  
7 that the girl was dead.

8 A. No, because I didn't know it. I didn't  
9 know until the next day.

10 Q. But she told you on that occasion,  
11 without regard to whether Mary Phagan was dead or not  
12 dead, she told you, "Look, don't tell this to  
13 anybody."

14 A. That is what she said.

15 Q. Now, did she tell you to tell a lie to  
16 anybody or misrepresent it? What did she say?  
17 Suppose somebody had come to you and asked you about  
18 it.

19 A. She said, "Just answer the questions they  
20 ask you to answer."

21 Q. She did not told you to lie.

22 A. No.

23 Q. She simply told you not to volunteer or  
24 tell anybody anything you weren't asked.

25 A. That is correct.

1 Q. And your testimony is that she then went  
2 further and said, "But if somebody does ask you, then  
3 you tell them the truth."

4 A. Well, later on she said, "If anybody asks  
5 you exactly what happened, you tell them the truth."

6 Q. So when you had your conversations with  
7 the detectives and with the police and with the  
8 prosecuting attorneys and with the lawyers for the  
9 defense, you had -- nobody ever asked you --

10 A. No one ever asked me.

11 Q. Did you ever have any conversation with  
12 Mr. Leo Frank in which you told him?

13 A. Before they arrested Mr. Frank, he did  
14 come to me and say one or two words. I don't exactly  
15 remember what they was; but he said, "I feel uneasy."

16 Q. But you did not discuss with him --

17 A. No, we didn't go into it. He did tell me  
18 he felt uneasy.

19 Q. And you liked Mr. Frank?

20 A. I liked him very much.

21 Q. And he, as far as you had known, had been  
22 a good employer; and everything you knew about him  
23 was favorable.

24 A. He was a good employer, and his wife  
25 was --

1 Q. I believe there had been testimony in the  
2 trial, or subsequently there was testimony in the  
3 trial, trying to indicate that Mr. Frank had drank  
4 whiskey and that Mr. Frank had women come to his  
5 office and so forth.

6 A. None of that is true. They were all lies,  
7 every bit of it. I kept the office straight. I know.  
8 There wasn't any beer cans or whiskey cans, no  
9 nothing to show signs of anything wrong; and I never  
10 saw Mr. Frank put his hand on a person. I never saw  
11 him stop and talk to women. He was strictly business.  
12 If he told you to do something, if you didn't do it,  
13 he reminded you of it. If you didn't do it right, he  
14 would tell you about it; but he was nice about it.

15 Q. And he was indicted for murder?

16 A. Yes.

17 Q. Now, why didn't you tell the police about  
18 this or tell Mr. Frank about it or tell the lawyers  
19 about it? You had seen something, you were 14 years  
20 old; and what is your testimony as to why you did not  
21 tell anybody about what you have now sworn to in this  
22 affidavit?

23 A. My mother and father told me not to get  
24 mixed up in it.

25 Q. And you respected your mother and father.

1 A. I certainly did. When we go on further,  
2 there was such a mob at the trial -- of course, we  
3 will wait for you to get to that.

4 Q. Well, go on now, in your own words.

5 A. When I went to court, my mother says,  
6 "Don't answer anything except the questions that are  
7 asked you." When I went in the courthouse, there was  
8 at least 500 people on the street; and they were  
9 saying to each other, "Kill the Jew. Kill the Jew."  
10 And they had some there -- some had pistols. Some  
11 had knives. They were crazy. So I went in, and I  
12 was afraid. So when I went in and got on the stand,  
13 I just answered the questions they told me to. I was  
14 afraid to say about everything because I was afraid  
15 of the crowd outside. And I did what my mother and  
16 father told me to.

17 (A recess was taken).

18 Q. (BY MR. HOOKER) Mr. Mann, I only have  
19 one further question. And then after you answer this,  
20 then I would like for you to then answer the  
21 questions of anybody else in this room who wants to  
22 ask you questions.

23 A. I certainly will.

24 Q. But you have testified now on the record  
25 in front of this video and audio equipment so that

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1 your testimony is going to be perpetuated about the  
2 things that you know concerning that fateful day,  
3 April 26, 1913 --

4 A. That is correct.

5 Q. -- and you have given your testimony  
6 about that.

7 A. Yes, indeed.

8 Q. And this is April the 11th, 1982.

9 November the 11th, 1982 -- November the 10th, 1982.  
10 My name is John Jay Hooker, and I am in Atlanta,  
11 Georgia. November 10th, 1982. And here we are in  
12 Atlanta, Georgia; and you have given the testimony  
13 about that April 26th date, 1913, and the surrounding  
14 circumstances.

15 After this, Mr. Mann, after the time of  
16 this trial, you were just a boy 14 years old, many  
17 years passed. I think you have told me, and I wish  
18 you would say for the record -- I heard you tell  
19 Jerry Thompson and Bob Sherborne about a 14-year-old  
20 boy. In those days a 14-year-old boy had a  
21 different --

22 A. May I say this: A 14-year-old boy in  
23 1913 was just a child to their parents. Today it is  
24 different. A 14-year-old boy today is almost a grown  
25 man in ways, and sometimes he knows more than we do.

1 Q. But in 1913 as a boy living in that time,  
2 you felt the responsibility to do precisely what your  
3 mother and father told you to do.

4 A. I certainly did.

5 Q. Which, if I may paraphrase -- if I  
6 overstate this or if I am leading you in any way or  
7 misstating it, then you correct me. But as I  
8 understand what you are saying is, that you did  
9 precisely what they told you to do, which was, one,  
10 to tell nobody what you saw.

11 A. Unless I was asked.

12 Q. Unless you were asked, and then tell the  
13 truth.

14 A. Yes, sir.

15 Q. Now, nobody asked you; and, therefore,  
16 you followed the instructions of your mother and  
17 father, and you didn't tell anybody.

18 A. Yes. That's the way it was.

19 Q. At the time of the trial. Now, after  
20 that you did -- as you grew up, you did then begin to  
21 discuss the Leo Frank case with people through the  
22 years.

23 A. I discussed it with many people.

24 Q. Now I wish for the sake of this record  
25 that you would right here in the presence of Mr. Wing,

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1 a member of the board of the Georgia Pardons and  
2 Paroles Board, I wish for his benefit that you would  
3 tell what took place over the years regarding you and  
4 the Frank case; in other words, here we are in  
5 November of 1982, and you have given this testimony  
6 on the record. You understand you are doing that in  
7 a situation in which the Defamation League and others  
8 have made application for a posthumous pardon for Mr.  
9 Leo Frank. You have come forward at your age and  
10 place in life and given this testimony; and you have  
11 given it here before this tape recorder and video  
12 machine so that it can be perpetuated. You come here  
13 in pursuit of a pardon for Leo Frank.

14 A. That is right.

15 Q. Now, explain what happened between the  
16 time of your boyhood and now as to why you come  
17 forward now and what you tried to do during the years  
18 about coming forward and so as the people can  
19 understand why you are a man 84 years old are here  
20 today for the purpose you are here. Explain that in  
21 your own words.

22 A. Many times I tried to tell people about  
23 this. I never tried to tell the newspaper; but I did  
24 try to tell one newspaper, and they wouldn't listen  
25 to me. So I tried to tell a lawyer at one time, and

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1 he wouldn't listen to me; and I told other people,  
2 but I never went to a newspaper but once to get the  
3 news correctly -- to get it right. So finally the  
4 Tennessean came to me, and I --

5 Q. Let's go at a slower pace. Did you at  
6 one time have a fight with somebody about this?

7 A. Oh, yes. In the Army I was -- a young  
8 man named Spencer was in the Army with me, and he was  
9 discussing the Leo Frank case; and he told me that  
10 Leo Frank killed the girl, and I said, "He did not  
11 kill the girl." And I said something -- a few more  
12 words how true it was that he didn't; and he cussed  
13 me out, and we got in a fight. But I was pretty  
14 healthy there. I think I whipped him.

15 Q. So you were keeping -- you followed your  
16 mother and father's instruction.

17 A. Yes.

18 Q. But as you grew to be a grown man, you  
19 always acknowledged what you are now acknowledging,  
20 and that is that you saw something on that fateful  
21 morning that made you convinced that Leo Frank did  
22 not kill this young lady.

23 A. That is correct. I have witness to that.

24 Q. And you have throughout your life,  
25 throughout these ensuing 70 years --

1 A. I never tried to keep it hid.

2 Q. Never concealed it from anybody.

3 A. No, I said it.

4 Q. Now, you say you had a discussion with a  
5 newspaper about that.

6 A. I did. It was in Florida. I told him  
7 everything. He ate with me in one of my restaurants.  
8 He ate with me, and I told him everything in detail;  
9 and he went back there and reported it to the office.  
10 He is dead now.

11 Q. And what did he say to you as to why he  
12 wasn't going to write it?

13 A. He said he would have to report it to  
14 higher up because Mrs. Frank was living at that time.

15 Q. And the newspaper decided -- did he tell  
16 you why the newspaper was --

17 A. Yes. He said the newspaper he didn't  
18 think would print it because Mrs. Frank was still  
19 living, and they didn't want to bring it back up  
20 again.

21 Q. Because it might make her unhappy or  
22 reopen old wounds and that sort of thing.

23 A. I am sure that was the reason; but he  
24 died later on, and he was a reporter.

25 Q. You were telling him for the purpose of

1 getting it out in public at that time.

Q2

2 A. That is exactly the reason I told him.

3 Q. And that was unsuccessful.

4 A. Yes. Very unsuccessful.

5 Q. Now, then, I think you testified earlier  
6 that you read the book of Harry Golden concerning --  
7 about the girl who slipped.

8 A. I read about 40 pages of it.

9 Q. And then that made you determine one more  
10 time to go and try to get it made public.

11 A. That's correct. And the more I read the  
12 book, the more lies that was in it. Of course, now I  
13 don't know who gathered up this story altogether. I  
14 guess he had many. But I made notes in the book.

15 Q. And then it just so happened by fate that  
16 your nephew happened to work for Jerry Thompson of  
17 the Nashville Tennessean.

18 A. That's correct. And he said I know --

19 Q. And really your nephew is the one  
20 responsible for contacting Jerry Thompson, and Jerry  
21 Thompson is responsible for getting the newspaper to  
22 agree to publish what you say took place.

23 A. Yes, and I was grateful for that. I am  
24 still grateful.

25 Q. Why did you -- and for the record, if you

1 would, tell Mr. Wing here and Mr. Silas Moore of the  
2 Georgia Pardons and Paroles Board, why are you so  
3 intent upon getting this matter public and on the  
4 record?

5 A. I have always wanted it on the record,  
6 but I couldn't get no one to listen to me. Everyone  
7 I would tell passed it off. They didn't say anything;  
8 and they didn't say they didn't agree, they didn't  
9 say they did agree. They just paid no attention to  
10 me. I even talked to a lawyer one time, a lawyer  
11 that was fixing to graduate; and I told him if he  
12 would take my story and do something with it, that it  
13 would help him get started. He paid no attention to  
14 me.

15 Q. Did you worry about -- when you started  
16 having your conversations with Mr. Thompson and it  
17 became apparent to you that Mr. Thompson was  
18 intensely interested, I guess it is fair to say that  
19 when you -- when Mr. Sherborne and Mr. Thompson came  
20 to see you, you were aware that at long last you had  
21 found somebody who was interested and intensely  
22 interested in your story.

23 A. I was glad to know that.

24 Q. And they were greatly interested in it.

25 A. Yes, they was.

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1 Q. Once you learned that, then you decided  
2 to be cooperative with them and submit yourself to  
3 lie detector tests or whatever was necessary so that  
4 you could convince them of the truth of what you were  
5 saying.

6 A. That is exactly right.

7 Q. And did they make it clear to you that  
8 they wouldn't print what you said unless they could  
9 try to verify it and had some confidence in the truth  
10 of it?

11 A. No. We didn't go into that. We just  
12 went through the story.

13 Q. Went through the story. But they did  
14 tell you that they wanted you to take a lie detector  
15 test to find out whether you were telling the truth?

16 A. Yes. And then they told me they were  
17 going to print it, but I had no idea it would be ten  
18 pages. I just thought it would be a little notation.

19 Q. And you did know they were trying to be  
20 sure what they printed was accurate. They didn't  
21 just want to take some prank and print something  
22 that --

23 A. That's the only way I wanted it, was the  
24 truth from the beginning. I wanted the truth,  
25 nothing but the truth.

1 Q. Apparently they did, too.

2 A. That's right. They asked me nothing that  
3 wasn't. They asked me to tell the truth.

4 Q. The Tennessean asked you that? What did  
5 they say to you about that?

6 A. Well, Jerry and Tom told me to tell the  
7 truth.

8 Q. Jerry Thompson and Bob Sherborne.

9 A. Yes. And I told the truth about  
10 everything, and the paper is the truth. That's one  
11 piece of news that told the truth. I don't know  
12 about all papers, but that is the truth.

13 Q. Now, did you talk to members of a -- to  
14 your preacher or to -- when you got ready to -- when  
15 you knew was going to become public, what did you do  
16 about that?

17 A. I gave my preacher one of the papers, and  
18 he read it; and he seemed to think that I was right.  
19 In fact, he did think I was right. I gave it to my  
20 choir director, and he agreed that I was right. I  
21 gave it to several other members of the church, and  
22 they all praised me for it. No one has ever  
23 condemned me for it. I gave out about 50 papers.

24 Q. What were you afraid they would condemn  
25 you for?

1 A. Well, because they wondered why I didn't  
2 tell it before. That was all, just that one reason.  
3 But I did tell it before, but I couldn't get anyone  
4 to listen.

5 Q. So you have satisfied your own soul first  
6 on the proposition that you did what your mother and  
7 father asked to you do at the time of the trial.

8 A. And I perfectly permanent satisfied, and  
9 I feel like I was right in everything I did; but it  
10 did worry me during the years.

11 Q. And you wanted before you died and met  
12 your maker, you wanted to set the record straight in  
13 the matter of Leo Frank.

14 A. I think that was the proper thing to do,  
15 and I still feel right over it; but I didn't know it  
16 would happen. I didn't know that I could ever tell  
17 it all or not. And I am still glad that I told it  
18 all.

19 Q. Did you have any purpose, other than the  
20 purpose of getting the record straight, of coming  
21 forward with this story?

22 A. There was no promises involved. There  
23 was no money involved. And today there hasn't been  
24 any money involved in my story -- about my story. I  
25 mean about what I told them. Jerry Thompson and Bob

1 Sherborne, I told them from now on to have it  
2 completed and do what they want to with it.

3 Q. I understand.

4 MR. HOOKER: All right, ladies and  
5 gentlemen. That concludes my part of it. I am Mr.  
6 Mann's lawyer. I wanted him to say on the record and  
7 in the presence of Mr. Wing and Mr. Moore what he has  
8 said; and I think we have some time left, and Mr.  
9 Schwartz -- maybe some others have some questions.  
10 So if you just ask Mr. Mann whatever you want.

11 This is Mr. Dale Schwartz whose name  
12 appears in the record already. Go ahead, Mr.  
13 Schwartz.

14 EXAMINATION

15 BY MR. SCHWARTZ:

16 Q. Thank you very much, Mr. Hooker. My name  
17 is Dale Schwartz, Mr. Mann. I believe we met last  
18 night for the first time.

19 A. We met one time.

20 Q. All right. You understand that I am an  
21 attorney, and I represent the organizations here in  
22 Atlanta, that is, the Anti-defamation League and the  
23 American Jewish Committee and the National Jewish  
24 Federation who have petitioned the Georgia Pardons  
25 and Paroles Board for a posthumous pardon for Leo

1 Frank. You understand that I am their attorney.

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2 A. I will agree with you.

3 Q. Thank you. Mr. Mann, first let me ask  
4 you just a few questions. Do you have any kind of  
5 relationship or connection at all with any of the  
6 organizations that I represent whose names I just  
7 mentioned to you?

8 A. I have no connection with them at all.

9 Q. You are not a member of any of those  
10 organizations?

11 A. No. I don't even know them.

12 Q. You never had any dealings with them?

13 A. You are the only one I know.

14 Q. I think you already testified that nobody  
15 had offered to pay you anything for your testimony.

16 A. Nobody offered me anything or given me  
17 anything.

18 Q. No promises or award or anything like  
19 that to come forward with this story now.

20 A. That is correct.

21 Q. Mr. Mann, let me take you back again for  
22 a few moments if I could to 1913, to April 26. Could  
23 you describe for us Jim Conley? I know you already  
24 told us that he was a black man who had light skin,  
25 but can you describe his physical appearance to us?

1 A. His physical appearance, he was short, 59  
2 chunky, healthy looking, stout, and mean, and drank.

3 Q. Had you had any run-ins with him?

4 A. No, I had never had a run-in with him.

5 Q. You said he was mean?

6 A. The only run-in I had with Jim Conley is  
7 he asked me for money, and I wouldn't give it to him.

8 Q. You described Mr. Conley as being mean.  
9 Can you tell us how you know he was mean?

10 A. He was mean because he was drinking, and  
11 he borrowed money from different people, and they  
12 didn't like him; but I never did see him hurt anyone.

13 Q. Were you afraid of Mr. Conley?

14 A. Well, I was afraid after he told me he  
15 would kill me, because he could have.

16 Q. But prior to that time, would you have  
17 had any reason to be afraid of him?

18 A. Oh, no. I never had any dealings with  
19 him at all except in money matters. That day he  
20 asked me for money, and I turned him down.

21 Q. Can you tell us what Mr. Conley's  
22 reputation was in and around the pencil factory?

23 A. His reputation in the factory was bad.  
24 As a bad Negro.

25 Q. In what way was it bad?

1 A. Well, they didn't like his style. They 66  
2 didn't like the things he did. And he wasn't too  
3 nice to people.

4 Q. Was he often drunk on the job?

5 A. He was smart. He had a lot of sense, but  
6 it was the wrong kind of sense.

7 Q. Did you know from your own knowledge  
8 whether or not Mr. Conley could read and write?

9 A. Well, to my knowledge Conley could read  
10 and write because I have seen him with a pencil and  
11 paper; but I didn't see him write.

12 Q. All right. Okay. Now, when you saw Jim  
13 Conley and you ran out into the street after you saw  
14 Conley with the body of a young girl that he was  
15 carrying in the pencil factory, were you scared at  
16 that moment, Mr. Mann?

17 A. Yes, because if had gotten his hand on me,  
18 he could have dropped the girl and killed me first.  
19 I had that much sense.

20 Q. If you were scared at that time, would  
21 you tell us were there any people out on the street  
22 when you ran out the front door of the pencil factory?

23 A. People just walking up and down. I  
24 didn't run out. I just got out quickly.

25 Q. Did you holler for help, or did you ask

1 anybody to help you? (6)

2 A. I did not.

3 Q. Can you explain why you didn't? It seems  
4 like a young boy 14 years old who had seen something  
5 like that would have been kind of scared and maybe  
6 going to holler for help.

7 A. Well, I thought perhaps they would take  
8 me back in the building, and it would just cause more  
9 problems.

10 Q. You didn't want to cause any trouble; is  
11 that what you said?

12 A. I didn't want to get back into it. I  
13 wanted to get out of it. I was scared.

14 Q. What did you do? Did you jump on a  
15 streetcar and go home?

16 A. No. I went up to Whitehall Street and  
17 caught the streetcar home and went to Westend. It  
18 cost a nickel.

19 Q. Now, after you got home and discussed  
20 this matter with your mother, did you and your  
21 mother -- after Leo Frank was indicted, did you have  
22 any opinion as to whether or not Leo Frank would be  
23 found guilty of this crime?

24 A. We didn't know, and my father and mother  
25 said they didn't see how he could be proven guilty.

1 I heard them say that.

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2 Q. Is that perhaps another reason why you  
3 didn't bother to come forward with your story?

4 A. That is one of the reasons, and the other  
5 reason is because they told me not to say anything  
6 unless they asked me.

7 Q. But after Leo Frank was found guilty,  
8 were you and your mother and father surprised?

9 A. After Leo Frank was found guilty, my  
10 father and mother still thought that it was wrong and  
11 he would be acquitted.

12 Q. On appeal or something like that?

13 A. They didn't think he would be sentenced.  
14 They thought the trial would work out the way he  
15 would be acquitted.

16 Q. Did you have any plan that if he wasn't  
17 acquitted ultimately, did you have any plan to come  
18 forward and tell your story at that time?

19 A. We didn't think that far ahead. My  
20 father and mother -- I heard my father say to the  
21 next door neighbors, "They will acquit Frank." He  
22 said, "They won't convict him." That was -- that's  
23 the way it was.

24 Q. Mr. Mann, tell us what was significant  
25 about your seeing Jim Conley carry this young girl's

1 body through the pencil factory. How is that a  
2 significant factor in the Leo Frank case? 63

3 A. I felt like that he had done something to  
4 the girl, and I didn't know whether she was dead or  
5 alive. I didn't know it was Mary Phagan. I didn't  
6 know what had happened; but when he said he would  
7 kill me, and I knew if he got his hands on me he  
8 would, I was glad to get away.

9 Q. Was the only day that you were in court  
10 the day that you testified in the Leo Frank case?

11 A. That is correct -- no. I stayed around  
12 the courthouse several times and heard different  
13 people talk.

14 Q. During this trial you mean?

15 A. Oh, yes.

16 Q. Were you ever in the courtroom and hear  
17 anybody else's testimony?

18 A. I was in the courtroom one time. That  
19 was when I was on the stand.

20 Q. So you didn't get an opportunity to hear  
21 Jim Conley's testimony, did you?

22 A. No. I didn't hear his time around.

23 Q. Did your folks buy newspapers and follow  
24 the trial?

25 A. I bought newspapers and looked at the

1 headlines.

2 Q. And, of course, you could read those  
3 papers at that time in your life?

4 A. Oh, yes. Yes, I could read.

5 Q. And you followed Jim Conley's testimony  
6 through the trial. He was on the stand for quite  
7 some time, as I recall?

8 A. Most of it. I think I read most of it.

9 Q. All right. Now, if that's the case, then  
10 you undoubtedly knew that Jim Conley testified that  
11 he and Leo Frank dragged the body of this little girl  
12 to an elevator and took it down into the basement of  
13 the building.

14 A. Jim Conley, a man as strong as he was, was  
15 the only one who could handle the girl. A weak  
16 person couldn't pick her up.

17 Q. I thought you said she was very small.

18 A. Well, he picked her -- oh, he could  
19 handle her, yes.

20 Q. Are you implying that Leo Frank --

21 A. I am saying a weak person -- a small  
22 person couldn't handle the girl.

23 Q. But I think his testimony was that they  
24 went from an upstairs floor down to the basement on  
25 the elevator with the body.

(b)

1 A. No, I don't think they did. I think the 65  
2 trapdoor was waiting for Jim Conley to throw her down.

3 Q. And so that is the significance, is it  
4 not, of your having seen Jim Conley carry this little  
5 girl's body across the main floor of the building,  
6 the street level floor is that --

7 A. He was -- here's the drive, the road. It  
8 has a -- the hallway to the steps. The elevator is  
9 over here. The trapdoor is here, and it is about 8  
10 feet across. And the steps are here, and he was  
11 standing between the elevator and the trapdoor with  
12 the girl in his arms (indicating).

13 Q. Which would imply that he did not take  
14 her down to the basement on the elevator that day.

15 A. No. I think he took her down through the  
16 shaft or lifted her to the shaft.

17 Q. Now, in court, Mr. Mann, how long were  
18 you actually on the witness stand answering questions;  
19 do you recall?

20 A. I wouldn't say over three or four minutes.

21 Q. And were you excused as a witness at that  
22 point?

23 A. Beg your pardon?

24 Q. Were you excused as a witness? Did they  
25 tell you you could leave?

1 A. Oh, yes. They came to me and accused me *(dp)*  
2 and said I seemed to be too much excited, and I was  
3 too young, and I didn't have anything of value.

4 Q. So did the Judge excuse you --

5 A. The lawyers put their heads together and  
6 talked.

7 Q. Mr. Frank's lawyers, that is?

8 A. His lawyers and also the --

9 Q. Also the prosecutor?

10 A. All lawyers.

11 Q. They conferred, and they decided that you  
12 were too young or too upset about it?

13 A. That's right. My testimony was no good.

14 Q. All right. And at that point they  
15 excused you then. Now, could you tell us how you  
16 have felt personally throughout all these many years,  
17 almost 70 years since the trial, about the fact that  
18 you didn't get a chance to tell your story and  
19 testify?

20 A. I had many reasons to feel bad about it.  
21 But I knew if I had gone through with the things that  
22 y'all were -- most people think I should have done, I  
23 could have been killed by the mob or either by Jim  
24 Conley, and they could have killed Frank. They could  
25 have lynched him right there in Atlanta, and I didn't

1 -- certainly didn't want to lose my life or get into  
2 it. But all the years that I went through and  
3 knowing it, I did mention it to many people to get  
4 some of it out of my heart.

5 Q. I think you had said earlier, Mr. Mann,  
6 that there were some 500 people outside the  
7 courthouse --

8 A. At least that many.

9 Q. During the trial.

10 A. You could hear them mumbling, "Kill the  
11 Jew."

12 Q. Did they actually shout that? Could you  
13 hear them inside the courtroom? Could the jury --

14 A. No, inside the courtroom was quite.

15 Q. Were there people in the courtroom who,  
16 as far as you knew, held that same attitude or  
17 opinion?

18 A. I imagine a good many of them did. Back  
19 in those days the Jewish people wasn't thought much  
20 of in Atlanta. That was in the early years. And  
21 they were coming in and going into business and  
22 opened up business shops; and the public didn't like  
23 it. They wanted the business for themselves.

24 Q. So it was sort of an economic resentment  
25 of them?

1 A. That's right. That's correct. Right now 68

2 it would be taken different today.

3 Q. We would all hope so, anyway.

4 A. No. Today they would figure if Jewish  
5 people came here and spent a lot of money, it would  
6 help our town; but in those days it was different.  
7 But I always got along with Jewish people because I'm  
8 part Irish.

9 Q. Did you know that Mr. Frank was Jewish  
10 when you were working for him?

11 A. Oh, yes, I knew he was Jewish.

12 Q. That didn't bother you in any way, did it?

13 A. No, not in one way. We got along  
14 wonderful. I get along with Jewish people. I always  
15 get along with Jewish people.

16 Q. Do you recall what your salary was as  
17 office boy there?

18 A. I made \$8 a week.

19 Q. \$8 a week?

20 A. And worked 12 hours a day.

21 Q. Had you dropped out of school to take  
22 that --

23 A. Half a day on Saturday.

24 Q. You had dropped out of school to take  
25 that job; is that correct?

1 A. Beg your pardon?

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2 Q. Had you dropped out of school to take  
3 that job?

4 A. No. I dropped out of school because I  
5 crawled up the aisle one day, and the teacher made me  
6 come up to the room and sit in a chair and look at  
7 the blackboard; and she said, "You should be  
8 whipped." But Miss Carlisle, I remember her well,  
9 she said, "I can't whip you." She said, "I will call  
10 the principal." So she called the principal; and  
11 when the principal wanted to take me to the coat room  
12 and whip me, I said, "No." So I went home.

13 Q. And you dropped out of school; is that  
14 correct?

15 A. And dropped out of school. My mother  
16 tried to get me to go back.

17 Q. You were about 14 years old when you  
18 dropped out of school; is that right?

19 A. Yes.

20 Q. Did you ever have a chance to go back and  
21 finish school?

22 A. No. But I took some correspondence  
23 courses, and I learned as I went along. I did very  
24 well in life. That didn't hold me back too much. A  
25 man don't have to be too well educated to make a

1 success unless he's a lawyer or doctor or some  
2 professional man. And I wasn't, but I did all right.

3 Q. Is there anything else now that you can  
4 think of that you would like to tell us while we are  
5 talking about this?

6 A. I don't know of anything else I can add  
7 to the case.

8 Q. You feel that you have told everything  
9 that you know?

10 A. I told everything I know, and I thought  
11 that -- when I told it, I thought that would be just  
12 a short story and it would be over with; but since  
13 you want more, I am trying to give it to you.

14 Q. Okay. How do you feeling now that you  
15 have finally had an opportunity to tell your story to  
16 some folks that will listen to you?

17 A. I feel much better. I am glad it is over  
18 with, but I will never forget it. I will never  
19 forget it; and I hope that Leo Frank will get a  
20 pardon, and I think it should be that way.

21 Q. Thank you very much.

22 MR. HOOKER: Thank you Mr. Schwartz. Now,  
23 anybody -- I think, Mr. Wing, you and Mr. Moore -- we  
24 are so happy to have you here, and the witness is  
25 yours and you ask him anything you want to for any

1 length you want to. 71

2 EXAMINATION

3 BY MR. WING:

4 Q. Thank you. We are happy to be here and  
5 appreciate you talking with us, Mr. Mann. Just a  
6 couple of points I wanted to clear up.

7 A. Yes, sir.

8 Q. Now, at the factory the day you saw Jim  
9 Conley holding the girl, he was between the trapdoor  
10 and the elevator?

11 A. Well, here is the entrance right here  
12 (indicating) --

13 Q. Yes, sir.

14 A. -- on the right, but the steps are on the  
15 left. So you go in, and the elevator is here, and  
16 the trapdoor is here, and the steps are over here,  
17 upstairs. In other words, this is the entrance.  
18 Over to the right is the elevator and the trapdoor,  
19 and right in front of the elevator and trapdoor is  
20 stairs, and you begin at the stairs after you step  
21 into the door, 2 feet; so that's the way it was  
22 located (indicating).

23 Q. Okay. Could he have come to that floor  
24 from upstairs through either coming down the stairs  
25 or the elevator?

1 A. I don't know how he got downstairs. I 72  
2 really don't. I just know he was on the first floor.  
3 I never thought too much about that. He could have  
4 brought her down the steps because he was a strong  
5 Negro.

6 Q. From what you saw, it couldn't indicate  
7 either way?

8 A. If he came down in the elevator, he must  
9 have pushed it back -- he must of let it go back up.  
10 The elevator was not there when I came in.

11 Q. And if he wanted to go all the way down  
12 to the basement --

13 A. He would have to go all the way with the  
14 elevator.

15 Q. The elevator did go all the way down the  
16 basement.

17 A. Oh, yes. It would if you wanted to go to  
18 the basement. But when you went to the basement,  
19 then the door would have to be shut because if the  
20 elevator was down there, it would be open, someone  
21 could fall through it.

22 Q. I understand. Okay. He was --

23 A. He must have brought her down the steps.  
24 I never thought too much about that part.

25 Q. Actually, if he had been on the elevator

1 and wanted to put something in the basement, he could  
2 have ridden straight down without stopping? B

3 A. Oh, yes. He could go down and never  
4 stopped on the first floor.

5 Q. And when you saw him between the elevator  
6 and the trapdoor, was he facing either way?

7 A. Well, he was halfway facing. He was  
8 standing at halfway, and the girl was on his shoulder;  
9 and he was looking towards the door because I think  
10 he sensed that someone might come in. He didn't have  
11 time to go to the door and lock the door. The door  
12 was unlocked.

13 Q. When you first got a glimpse of him, he  
14 was not walking; is that right?

15 A. No. He was standing still.

16 Q. Standing still

17 A. He looked over at me and reached out like  
18 this (indicating) and said, "I will kill you if you  
19 say anything about it."

20 Q. After that day, did you ever have  
21 occasion to talk to Jim Conley or meet him again?

22 A. I seen him once or twice slightly, but I  
23 never talked with him any more. He stayed clear of  
24 me because he thought maybe I had already said  
25 something or would say something. He stayed clear of

1 me. He didn't work much longer after that. They  
2 arrested him pretty soon. 74

3 Q. And I understand that you did speak, at  
4 least briefly, to Mr. Frank after that?

5 A. Oh, yes. I talked to Mr. Frank the next  
6 day and the day after that, but it was on business.  
7 But he came to me, and he called me by my name, and  
8 he said, "I'm uneasy." He liked me.

9 Q. So, in other words, the company opened up  
10 right after that; and everybody went back to work.

11 A. Oh, yes. He felt like it -- they would  
12 get him into it or implicate him. He felt that way.

13 Q. So he was feeling uneasy before?

14 A. He was uneasy before they arrested him.

15 Q. Before any public knowledge of --

16 A. Yes, he told me so.

17 Q. Okay. Did he indicate why he would feel  
18 uneasy?

19 A. No, he didn't say. He just said, "I feel  
20 uneasy." Mr. Dolly was the assistant manager. Mr.  
21 Ship was the office manager. Mr. Lord was the office  
22 clerk. I knew them all, and they were all nice to me;  
23 and they were all Jewish. Except Dolly, he wasn't.  
24 The assistant manager was not Jewish.

25 (Discussion ensued off the record).

1 Q. (BY MR. WING) Did they arrest Jim Conley 45  
2 almost immediately after they found the body?

3 A. It wasn't too long afterwards. I didn't  
4 keep up with the time. I really don't know just how  
5 long it was, but they did arrest him; and they also  
6 arrested a night watchman, Newt Lee.

7 Q. I guess this is the point that concerns  
8 me. It was the first time that came up today that  
9 everybody went back to work. Apparently Conley was  
10 arrested; and during this period of time before he's  
11 been accused, Mr. Frank states he feels uneasy. Is  
12 that right?

13 A. The very next day Mr. Frank came to me  
14 and tapped me on the shoulder and spoke to me; and he  
15 says, "I feel uneasy," the very next day.

16 Q. And you didn't have occasion to talk  
17 about anything he might have done at that point?

18 A. No, he didn't talk about it.

19 MR. THOMPSON: Mr. Wing?

20 MR. WING: Yes.

21 MR. THOMPSON: If I may, in the interest  
22 of clarity here.

23 MR. WING: Go right ahead.

24 MR. THOMPSON: Mr. Mann, we asked this  
25 same question, if you remember, back last February or

I March at your house. I am Jerry Thompson. You know me.  
2  
3

4 THE WITNESS: Yeah. I don't remember exactly how I answered it, though.

5 MR. THOMPSON: You told me that -- and  
6 then our research bore this out later -- that before  
7 Mr. Frank told him that he felt uneasy that Mr. Frank  
8 himself had been questioned on several occasions by  
9 the police. They had gone to his house, whisked him  
10 away before breakfast, took him to the pencil factory,  
11 and asked him to show them around. They took him to  
12 the morgue and asked him to identify the body, and he  
13 had already been questioned several times by police  
14 before they went back to work on Monday morning.

15 And it was on a Tuesday morning, I think  
16 he told us at that time and I think we related it in  
17 this story, and I am sure our research will reflect  
18 that, that he had been questioned by the police  
19 before he told him; and he even went further to say,  
20 "You can do right all your life and still things will  
21 happen to you." Do you remember him saying something  
22 to that --

23 THE WITNESS: If I said that, it's true.  
24 Of course, right now I can't remember just everything  
25 I said in the correct words, but whatever I told you

1 is correct. It may not have been the next day. It 74  
2 may have been a day or two later.

3 MR. THOMPSON: But regardless of that  
4 fact, that was a point of concern for us also, why  
5 was Leo Frank feeling uneasy if he had nothing to do  
6 with it. He had been questioned by police on I know  
7 two occasions and maybe more because he is  
8 remembering back 70 years. I am trying to struggle  
9 remembering back 8 months. But he had been  
10 questioned by police, and that question -- the line  
11 of questioning had given him cause to feel uneasy  
12 about his own situation.

13 THE WITNESS: Well, that was the reason  
14 then. But I never thought too much about it what  
15 happened outside. Whatever I told you was correct.  
16 Now, if I am varying a little bit is because I --  
17 anybody would vary some in trying to tell something.

18 MR. THOMPSON: Go ahead, Mr. Sherborne.

19 MR. SHERBORNE: I don't know if I am  
20 hooked up a to microphone. I am Bob Sherborne. In  
21 our conversations with Mr. Mann, he had a -- as he  
22 related to us, he had a conversation with Mr. Frank.  
23 He says the next day. The chronology is the next day  
24 after the murder, of course, was a Sunday. The  
25 factory reopened on Monday morning.

1 THE WITNESS: It was on a Sunday, that's  
2 true.

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3 MR. SHERBORNE: The factory reopened on  
4 Monday morning. It was shortly closed after that.  
5 It stayed open only a short time because the girls  
6 became hysterical, and they closed the factory. On  
7 Tuesday Mr. Frank went back to the factory and sent  
8 Mr. Mann out to get a newspaper, which he brought him,  
9 which was a special edition which said that Mr. Frank  
10 was to be charged with the murder that day.

11 MR. WING: Okay. So by the time they  
12 went back to work, he had already been questioned in  
13 an accusatory manner.

14 MR. THOMPSON: He had been questioned on  
15 Sunday, the day the body was discovered.

16 THE WITNESS: Of course, I know the next  
17 day was Sunday. We were closed.

18 MR. THOMPSON: Long before Mr. Mann and  
19 Mr. Frank got back together.

20 THE WITNESS: If I am a little off the  
21 track, I can't be perfect.

22 MR. WING: I understand that.

23 MR. HOOKER: Mr. Wing, I think on this  
24 point, because you have raised it, that basically  
25 what Mr. Sherborne has just said is a part of the

1 exhibit. Let me show that to you and see if that  
2 satisfies your question.

3 MR. WING: It has already been satisfied  
4 really.

5 MR. HOOKER: You go ahead, and I will  
6 show it to you so you can glance at it.

7 Q. (BY MR. WING) Okay. Mr. Schwartz got  
8 into this a little bit; but at your home in private  
9 conversations with your parents, what was the  
10 reaction in the home once Mr. Frank was charged with  
11 it?

12 A. You mean reaction in my home?

13 Q. Yes, just the conversation back and forth.

14 A. The reaction in any home was that my  
15 father and mother said, "Well, they can't find him  
16 guilty. They will not find him guilty." They never  
17 thought he would be found guilty.

18 Q. They realized at that point that what you  
19 had seen was part of a murder taking place.

20 A. Oh, yes; but they didn't see how they  
21 could -- they didn't see how Leo Frank could be  
22 convicted.

23 Q. Right.

24 A. My father was a very smart man. He had a  
25 lot of sense. He was a good man, and he told the

1 neighbor next door; he says, "They will not convict 86  
2 Frank."

3 Q. Was that the prevailing attitude in the  
4 community there?

5 A. That was his attitude.

6 Q. What about the other people in the  
7 community?

8 A. I think that he would tell anyone that he  
9 talked to. I know I did hear him tell the neighbor  
10 next door.

11 MR. WING: I think that's all I have, Mr.  
12 Mann. Do you have anything, Mr. Moore, that you want  
13 to ask?

14 EXAMINATION

15 BY MR. MOORE:

16 Q. I have one, Mr. Mann. An earlier  
17 question seemed to assume that Jim Conley when you  
18 saw him was on his way down from an upper floor. Is  
19 it possible from the way he was positioned that he  
20 had not come down from an upper floor but, in fact,  
21 had had the confrontation on that main first floor of  
22 the pencil company shortly before you came on to the  
23 scene?

24 A. Oh, yes. That could have happened as she  
25 come down the steps; but I was thinking in case he

1 did come down, he didn't come down -- I don't think 81  
2 he came down on the elevator. He would have come  
3 down the steps, but now I do believe that he attacked  
4 her as she came down the steps.

5 Q. It is not your belief necessarily that  
6 Jim Conley had brought the body of the girl down to  
7 the first floor --

8 A. No.

9 Q. -- but the confrontation happened right  
10 there on the first floor?

11 A. I think it happened all on the first  
12 floor. I do, but I am just thinking of ways it could  
13 have happened.

14 Q. If I could just ask you one question, I  
15 think you might have answered it a little bit earlier.  
16 I forget. But is it true that you have responded  
17 openly this year to the -- and revealed your  
18 knowledge of the case without any prompting of a  
19 desire to obtain any monetary reward or any other  
20 thing of material value?

21 A. No monetary reward and no -- about this  
22 story, I told it. I have realized nothing out of it,  
23 and I ask nothing for it; but I did tell Robert  
24 Sherborne and Jerry Thompson that I would let them  
25 handle it from then on because I just don't feel like

1 trying to go through with it any more.

2 Q. Basically, what you are saying is that  
3 you have agreed for Mr. Sherborne and Mr. Thompson to  
4 screen requests and calls for interviews that you  
5 might --

6 A. Whatever they think they want to do with  
7 it, but I never thought of it in terms of commercial.  
8 I never thought of it that way.

9 Q. This is not a commercial transaction that  
10 you are speaking of?

11 A. Whatever they want to do with it, they  
12 can do with it. There hasn't been no one -- no money  
13 involved in it, none at all, and no promises.

14 MR. MOORE: That covers my questions.

15 THE WITNESS: Thank you.

16 MR. HOOKER: Let me say for the record  
17 since the question has come up because we want to be  
18 absolutely full disclosure. As I understand it as  
19 Mr. Mann's lawyer and as I understand it as a  
20 consequence of having talked to Mr. Bob Sherborne and  
21 to Mr. Jerry Thompson the matter came up precisely as  
22 Mr. Mann has told you, that he told his nephew who in  
23 turn told Jerry Thompson, and Jerry Thompson then as  
24 a newspaper reporter proceeded for the purpose of --  
25 sole purpose of seeing whether or not this was a

1 legitimate story for the newspaper. He did proceed. 83

2                   He then convinced his publisher, Mr. John  
3 Sigenthal of the Nashville Tennessean that this story  
4 ought to be told. The Nashville Tennessean -- I used  
5 to be the general counsel for the Nashville  
6 Tennessean. I do not represent the Nashville  
7 Tennessean in this matter. I don't practice law any  
8 more. I am here because I am a great admirer of  
9 Jerry Thompson's, and Mr. John Sigenthal of the  
10 Nashville Tennessean is my very close friend.

11                  Mr. Mann did not have a lawyer, and I was  
12 asked to talk to Mr. Mann; and Mr. Mann then asked me  
13 to be his lawyer in the matter, and I appear today as  
14 his counsel. I am unpaid by Mr. Mann or the  
15 Tennessean or anybody else. I am here in the  
16 interest of justice because Mr. Mann asked me to be  
17 here.

18                  However, I do want to show on the record  
19 the truth, and that is that the matter was proceeded  
20 on by the Nashville Tennessean for the pure purpose  
21 of running a newspaper story, which has now been run.  
22 Subsequent to that, Mr. Thompson has written a book  
23 about his activities with the Ku Klux Klan wherein he  
24 was an investigator -- investigative reporter for the  
25 Nashville Tennessean. He went and did a series of

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1 articles for the Tennessean. After he finished doing  
2 the articles for the Tennessean, he then wrote a book;  
3 and he is an author of this book.

4                   And after this story was completed, Mr.  
5 Thompson then discussed with Mr. Sigenthal that he  
6 would like to write a book concerning the Leo Frank  
7 case; and as I understand it -- Mr. Thompson here can  
8 speak for himself for the record. Mr. Thompson has  
9 proceeded and is proceeding to write a book regarding  
10 this matter. And indeed he and Mr. Sherborne, in  
11 partnership, have done outlines of many chapters of  
12 the book; and they are presently proceeding to write  
13 the book. Beyond that Mr. Thompson has been  
14 contacted by Mr. Curtis and others related to the  
15 possibility of a movie being made about the Leo Frank  
16 matter.

17                   In conjunction -- in accordance with that,  
18 Mr. Thompson and my client, Mr. Mann, had some  
19 conversations; and they have an agreement among  
20 themselves that Mr. Thompson and Mr. Sherborne would  
21 be in control of the "Alonzo Mann Story." Mr. Mann  
22 is an elderly gentleman, and he wanted somebody to  
23 deal with whoever needs to be dealt with about the  
24 matter, and he entered into a written agreement with  
25 these two gentlemen, which I don't have with me, but

1 which if it is material, we will be happy to make  
2 available to the Pardons and Paroles Board so you  
3 will know the whole facts.

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4 MR. SCHWARTZ: When did he do that?

5 MR. HOOKER: That was done --

6 MR. THOMPSON: Long after this series ran.

7 THE WITNESS: Oh, yes. Everything was  
8 over with.

9 MR. HOOKER: This started purely as a  
10 matter that Mr. Mann wanted to get the matter on the  
11 record. Mr. Thompson happened to be the conduit for  
12 that. After the story was completed, then because of  
13 Mr. Thompson's qualifications and the fact he just  
14 completed a book, it occurred to him that this story  
15 was something that ought to likewise be the subject  
16 of a book. He had conversations with Mr. Mann about  
17 that, and the matter went from that point to where it  
18 is now by the process I have just told you.

19 But we want the Board to have the benefit  
20 of that knowledge because insofar as the testimony of  
21 Mr. Mann is concerned today, it has absolutely  
22 nothing to do with any commercial transaction  
23 contemplated by him at the time that he decided to  
24 bring the matter public; and he is here for the  
25 purpose of getting Mr. -- helping to get a pardon for

1 Mr. Leo Frank and not for the purpose of making any *8p*  
2 money out of the fact that that may come to pass or  
3 whether it comes to pass or not.

4 THE WITNESS: That is correct. Now, may  
5 I correct one thing?

6 MR. WING: Yes.

7 THE WITNESS: When I said that Jim Conley  
8 could have brought the woman down -- the girl down  
9 the stairs, I said he could have. The elevator which  
10 he did know -- it was really true and the way it  
11 looks to me and the way I think it is, the way I  
12 think it was, she was coming down the steps with an  
13 envelope; and that's when he stopped her and took her,  
14 knocked her in the head or something. That's when it  
15 really happened, when she came down the steps. I was  
16 just thinking about what could have happened.

17 FURTHER EXAMINATION

18 BY MR. WING:

19 Q. Actually, she could have come down the  
20 steps, he could have brought her down, they could  
21 have come down the elevator separately or together.

22 A. They could have if it happened upstairs.  
23 But I am sure it happened as she came down with an  
24 envelope, and he was on that floor.

25 Q. Let me ask an opinion question, Mr. Mann.

1 Would Mr. Conley have had any reason to lie about  
2 this at all other than to cover up the fact that he  
3 did the killing? 87

4 A. Yes, he had reason, because he felt sure  
5 that he would be questioned and maybe arrested; and  
6 he wanted to blame it on Mr. Frank. He would have a  
7 good reason. He and Mr. Frank wasn't good friends at  
8 all.

9 Q. There wouldn't be any reason other than  
10 the fact to cover up the fact that he did it?

11 A. No. Mr. Frank just gave him orders, and  
12 he carried them out. But you could easily think now  
13 since I was there, "They may arrest me. Why not  
14 blame it on Mr. Frank." A child could think that.

15 Q. You are personally convinced that Jim  
16 Conley did it?

17 A. I am convinced that's the way it was.  
18 That's my opinion. And I still believe in the sight  
19 of God that Frank did not kill that girl. Jim Conley  
20 killed her.

21 Q. Okay. One other question. I know this  
22 is really getting into an opinion question.

23 A. That's all right.

24 Q. Okay. There was some anti-Jewish feeling  
25 back then, but blacks weren't held in very high

1 regard either. I wonder do you know why -- and you  
2 lived through it -- all of it centered on Mr. Frank  
3 as opposed to on Mr. Conley? 88

4 A. Back in those days the blacks was  
5 considered as people that was servants or you could  
6 give orders to, that would do things, wash dishes or  
7 work in restaurants; and they would say, "Yes, sir,  
8 boss." But the Jewish people in those days wasn't  
9 liked because they were coming into the territory and  
10 going into business and doing well. That's why.

11 Q. So although --

12 A. That's why they had that feeling.

13 Q. Although blacks weren't highly regarded,  
14 they weren't looked on as a threat?

15 A. They were regarded as servants --

16 Q. I see.

17 A. -- back in those days because I -- my  
18 brother-in-law had one working for him -- had several  
19 working for him, and he bossed them around. They  
20 washed dishes, swept floors, cleaned out his yard,  
21 and cleaned around his business. They were  
22 considered as -- today blacks are equal with white  
23 when it comes to making money.

24 Q. On the defense lawyers, Mr. Frank's  
25 lawyers, they talked to you just one time before the

1 trial?

2 A. Yes, that's about all. They didn't have  
3 too much. They didn't have too much to say to me.

4 MR. WING: I think that's all I have, Mr.  
5 Mann.

6 THE WITNESS: Well, in my honest opinion,  
7 regardless of any way it works out, Frank was not  
8 guilty; and Jim Conley was guilty. That's the way I  
9 feel about it, and I will feel about it until I die.  
10 I won't change.

11 MR. WING: I am convinced of your  
12 sincerity.

13 THE WITNESS: I won't change. If I made  
14 any mistakes, excuse me.

15 MR. HOOKER: Anybody else? Dave, you  
16 have no further questions? What about you, Charles  
17 Wittenstein?

18 MR. WITTENSTEIN: No

19 MR. HOOKER: April, you don't have any  
20 questions? Silas? All right, Mr. Mann. We thank  
21 you very much.

22 THE WITNESS: If either one of you had to  
23 do what I had to do now, you would make some mistakes.

24 (Testimony concluded).

1  
2                   C E R T I F I C A T E  
3

4 G E O R G I A:  
5

6 FULTON COUNTY:  
7

8                   I hereby certify that the foregoing  
9 transcript was taken down, as stated in  
10 the caption, and the questions and answers  
11 thereto were reduced to typewriting under  
12 my direction; that the foregoing pages 1  
13 through 90 represent a true, complete, and  
14 correct transcript of the evidence given upon  
15 said hearing, and I further certify that I am  
16 not of kin or counsel to the parties in the  
17 case; am not in the regular employ of counsel  
18 for any of said parties; nor am I in anywise  
19 interested in the result of said case.

20                  This, the 23rd day of November, 1982.  
21

22                  Linda M. Lewis  
23

24                  LINDA M. LEWIS, CCR-B-640  
25

My commission expires on the  
14th day of October, 1984.